

JR6-2-103 Independent Legislative Ethics Commission -- Membership.

- (1) There is established an Independent Legislative Ethics Commission.
- (2) The commission is composed of five persons, each of whom is registered to vote in this state, appointed as follows:
 - (a) two members, who have served as judges of a court of record in this state, each of whom shall be nominated by the mutual consent of the president of the Senate and the speaker of the House, and appointed by a majority vote of the president of the Senate, speaker of the House, Senate minority leader, and House minority leader;
 - (b) one member, who has served as a judge of a court of record in this state, nominated by the mutual consent of the Senate minority leader and the House minority leader, and appointed by a majority vote of the president of the Senate, speaker of the House, Senate minority leader, and House minority leader;
 - (c) one member, who has served as a member of the Legislature in this state no more recently than four years before the date of appointment, appointed by the mutual consent of the president of the Senate and the speaker of the House of Representatives; and
 - (d) one member, who has served as a member of the Legislature in this state no more recently than four years before the date of appointment, appointed by the mutual consent of the Senate minority leader and House minority leader.
- (3) A member of the commission may not, during the member's term of office on the commission, act or serve as:
 - (a) an officeholder as defined in Utah Code Section 20A-11-101;
 - (b) an agency head as defined in Utah Code Section 67-16-3;
 - (c) a lobbyist as defined in Utah Code Section 36-11-102; or
 - (d) a principal as defined in Utah Code Section 36-11-102.
- (4)
 - (a)
 - (i) Except as provided in Subsection (4)(a)(ii), each member of the commission shall serve a four-year term.
 - (ii) When appointing the initial members upon formation of the commission, one member nominated by the president of the Senate and the speaker of the House of Representatives and one member nominated by the Senate minority leader and House minority leader shall be appointed to a two-year term so that approximately half of the commission is appointed every two years.
 - (b)
 - (i) When a vacancy occurs in the commission's membership for any reason, a replacement member shall be appointed for the unexpired term of the vacating member using the procedures and requirements of Subsection (2).
 - (ii) For the purposes of this rule, an appointment for an unexpired term of a vacating member is not considered a full term.
 - (c) A member may not be appointed to serve for more than two full terms, whether those terms are two or four years.
 - (d) A member of the commission may resign from the commission by giving one month's written notice of the resignation to the president of the Senate, speaker of the House, Senate minority leader, and House minority leader.
 - (e) The chair of the Legislative Management Committee shall remove a member from the commission if the member:
 - (i) is convicted of, or enters a plea of guilty to, a crime involving moral turpitude;
 - (ii) enters a plea of no contest or a plea in abeyance to a crime involving moral turpitude; or

- (iii) fails to meet the qualifications of office as provided in this rule.
 - (f) If a commission member is accused of wrongdoing in a complaint, or if a commission member determines that he or she has a conflict of interest in relation to a complaint, a temporary commission member shall be appointed to serve in that member's place for the purposes of reviewing that complaint using the procedures and requirements of Subsection (2).
- (5)
- (a) A member of the commission may not receive compensation or benefits for the member's service, but may receive per diem and expenses incurred in the performance of the member's official duties as allowed in:
 - (i) Utah Code Section 63A-3-106;
 - (ii) Utah Code Section 63A-3-107; and
 - (iii) rules made by the Division of Finance according to Utah Code Sections 63A-3-106 and 63A-3-107.
 - (b) A member may decline to receive per diem and expenses for the member's service.
- (6)
- (a) The commission members shall convene a meeting annually each January and elect, by a majority vote, a commission chair from among the commission members.
 - (b) A person may not serve as chair for more than two consecutive years.